

Exhibit J



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VIA EMAIL

May 23, 2014

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Re: *Civil Action No. 6:13-cv-711; Webb, et al. vs. Livingston, et al.; In the United States District Court, Eastern District of Texas, Tyler Division;*

Civil Action No. 6:13-cv-712; Adams, et al. vs. Livingston, et al.; In the United States District Court, Eastern District of Texas, Tyler Division;

Civil Action No. 6:14-cv-00093; Togonidze vs. Livingston, et al.; In the United States District Court, Eastern District of Texas, Tyler Division;

CONSOLIDATED ACTIONS

Civil Action No. 3:12-cv-02037; McCollum, et al. v. Livingston, et al.; In the United States District Court, Northern District of Texas – Dallas Division

Civil Action No. 4:13-cv-03369; Martone v. Livingston, et al.; In the United States District Court, Southern District of Texas, Houston Division;

Civil Action No. 2:13-cv-319; Hinojosa v. Livingston, et al.; In the United States District Court, Southern District of Texas, Corpus Christi Division.

Dear Counsel,

Enclosed is a list of proposed search terms. This list is provided with certain understandings as to TDCJ's and UTMB's search capabilities. To the extent we misunderstand the search capabilities, please let us know so we can alter the enclosed list. We have the following understandings:

- (1) the term "heat" would capture any word that has the four characters "heat". Thus, "heater" would be captured. TDCJ has indicated that this is the way it works on its system. Similarly, "heat stroke" will match to both "heat stroke" and "heat strokes". This understanding is important because we have not provided every variant of a root phrase.

TDCJ asked that we come up with other terms besides just "heat" so that words like "Heaton" are not captured. From our conversation with UTMB we are confused because we hear that UTMB's search captures "heater" but not "theater". We cannot reconcile that discrepancy. UTMB's cooperation in helping us figure this out before running the search would be helpful.

- (2) It is our understanding that both UTMB's and TDCJ's searches are not case-sensitive. Thus, the term "heat" would also come up if it is typed in an email as "HEAT" or "Heat".
- (3) A search for "(water or ice) and (heat or temps or temperature)" would yield any document that has (1) the word "water" and (2) either the word "heat", "temps", or "temperature." Further, the search would also yield any document that has (1) the word "ice" and (2) either the word "heat", "temps", or "temperature".
- (4) It is our understanding that a search for "temp!" would yield documents with the words "temperature", "temperatures", or "temps".

If you have any concerns about any of these particular terms, please let us know. All parties are united in that we want the terms to provide responsive documents and not a substantial number of unresponsive documents. We are willing to work with you to make the search efficient.

Both UTMB and TDCJ have asked us to identify additional custodians to search. We agree that this should be a joint process. But we are at a disadvantage because we don't know who at UTMB or TDCJ has relevant documents. For example, at TDCJ, do people in the Internal Audit Division have responsive documents? What about the Facilities Division or the Business and Finance Division? We find it almost impossible that they would not. But we don't know *who* within those divisions have responsive documents.

We need TDCJ to identify those individuals consistent with our interrogatories and the Rule 26 disclosures of people with relevant knowledge.

That said, and with the understanding that we need more information from TDCJ to suggest a complete list, we think the group of custodians that should be added to TDCJ's search are the following:

1. For the Hodge, Hutchins, Huntsville, Gurney, Michael, and Garza West units: the risk managers, regional risk managers, regional directors, and wardens (including assistant or senior wardens). This list is intended to include the chain of command from the risk manager up to the Executive Director. If there are others in the chain of command, please let us know and include those.
2. For all other units, any emails **from** risk managers, regional risk managers, regional directors, and wardens (including assistant or senior wardens) to Brad Livingston, Rick Thaler, William Stephens, Bryan Collier, Lanette Linthicum, George Crippen, Phyllis McWhorter, Robert Williams, HSLiason, Robert Eason, Michael Upshaw, Oscar Mendoza, Jason Clark, Richard Alford, Eileen Kennedy, Thomas Vian, Kim Farguson, Kathryn Buskirk, Owen Murray, Ben Raimer, Charles Adams, Glenda Adams, Joseph Penn, Stephanie Zepeda, and Gary Eubank.
3. Jason Clark, Richard Alford, Eileen Kennedy, Thomas Vian, Kim Farguson.
4. All members of the Texas Board of Criminal Justice from 2008 onward.

With respect to UTMB, we believe the following custodians should be included in the list being searched, with the understanding that we may request more as you produce documents and disclose witnesses:

1. Ben Raimer
2. Donna Sulzenberger
3. Gerald Campbell
4. David H. Walker
5. Judith Aronson
6. Bill Rampy
7. Bryan Schneider
8. Earl King
9. Susan Morris
10. Kimberly McLearen
11. Kirk Abbott
12. All medical staff at the Hodge, Hutchins, Huntsville, Gurney, Michael, and Garza West units.

With respect to the individual defendants represented by Mr. Anastasiadis, are independent searches being run? We reiterate this request from our May 7 letter.

Please let us know if you have any questions. I wish you a wonderful weekend.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Edwards', with a stylized, cursive script.

Jeff Edwards

Hyperthermia
Hyponatremia
Heat-related injury or heat related injury
Heat-related death or heat related death
Heat-related illness or heat related illness
Heat related or heat-related
Heat index or heat-index
High temperatures
High temperature
High temps
(Heat or hot or high) and acclimat!
Temperature related incident or temperature-related incident
Temperature related injur! or temperature-related injur!
Heat-related incident or heat related incident
Temps
Temp! and (extreme or condition)
Temperature log
Heat injuries
Heat injury
Hot
Heat.
Heat,
Heat;
Heat!
Shade
Air movement
Heat stress
Heat exhaustion
Heat illness
Heat cramp
Heat death
Heat stroke
heatstroke
Air condition or air-condition
AC
A/C
Heat restriction
Heat precaution
Swamp-cooler or swamp cooler
Mister
(Water or ice) and (heat or temps or temperature or ice or precaution or cool or hot)
Cool
Evaporate cool
Cooler
Cooling

psychotropic
fans
fan
foggers
water mist
(hot or temps or heat) and (seizure or heart or sweat or cramps or breath! or skin or responsive or unresponsive)
heat vulnerable or heat-vulnerable
heat sensitive or heat-sensitive
heat and susceptible
diabetes and (heat or temps or temperature or ice or precaution or restriction or cool or hot)
hypertension and (heat or temps or temperature or ice or precaution or restriction or cool or hot)
obes! and (heat or temps or temperature or ice or precaution or restriction or cool or hot)
Blackmon
Heat issue
Pigs
Hogs
Swine
Overheat!
10.64
air handler
Extreme heat precautions
NYT and heat
New York Times and heat
Houston Chronicle (and heat)
Chronicle and (heat)
Dallas Morning News and heat
DMN and heat
Medlock
Jim Harrington
Texas Civil Rights Project
Civil rights project
TCRP
Lance Lowery
Lowery and (heat or hot or temp! or death or injury or injuries)
American Federation of State, County and Municipal Employees and (heat or hot or temps or temperature or death or injur!)
AFSCME and (heat or hot or temps or temperature or death or injur!)
Labored breathing
Degrees (and temperature or heat or hot or temps or precaution or restriction or cool)
(Shorts or t-shirt or tshirt) and dayroom
Tempered air

NOAA

(Heat or humidity) and matrix

deadly heat

90+

95+

100+

105+

110+

115+

120+

Fahrenheit

Thermometer

Diuretic and (drugs or meds or medication or heat or dehydrat! or precaution or restriction)

heat and (sun-light or sunlight)

Archie and White

Anselmo and Lopez

James and Moore

John and Cardwell

Ricky and Robertson

James and Shriver

Dionicia and Robles

Douglas and Hudson

McCollum

Thomas and Meyers

Robert and Webb

Togonidze

Charles and Cook

Martone

Kelly and Marcus

Kenneth and James

Daniel and Alvarado

Rodney and Adams

Albert and Hinojosa

"temperature extremes"

AD-10.64 or AD 10.64 or AD 1064 or AD 10-64

"extreme temperature"

"heat and humidity matrix" or "heat matrix" or "heat index matrix"

"cool area"

1578039 (Togonidze's inmate number)

1569761 (Webb's inmate number)

1443175 (Robles inmate number)

390315 (Shriver's inmate number)

1722504 (Hudson's inmate number)

1726849 (James' inmate number)

1797921 (Adams' inmate number)

1517660 (Alvarado's inmate number)
1457546 (Cook's inmate number)
1082681 (Hinojosa inmate number)
1128380 (Marcus inmate number)
1395315 (Martone inmate number)
680515 (Meyers' inmate number)
1041651 (Cardwell inmate number)
1172218 (Robertson inmate number)
"no work in direct sunlight"
"no temperature extremes"
"no humidity extremes"
anticonvulsant! and (heat or temp! or cool)
anticholinergic! and (heat or temp! or cool)
antihistamine! and (heat or temp! or cool)
antipsychotic! and (heat or temp! or cool)
antidepressant! and (heat or temp! or cool)
beta blocker! and (heat or temp! or cool)
diuretic! and (heat or temp! or cool)
(benztropine or Cogentin) and (heat or temp! or cool)
(biperiden or Akineton) and (heat or temp! or cool)
(hyoscyamine or Levid) and (heat or temp! or cool)
(cyproheptadine or Perlactin) and (heat or temp! or cool)
(diphenhydramine or Benadryl) and (heat or temp! or cool)
(hydroxyzine or Atarax) and (heat or temp! or cool)
(promethazine or phenergen) and (heat or temp! or cool)
(clomipramine or Anafrail) and (heat or temp! or cool)
(desipramine or Norpramin) and (heat or temp! or cool)
(doxepin or sinequan) and (heat or temp! or cool)
(imipramine or tofranil) and (heat or temp! or cool)
(nortriptyline or pamelor) and (heat or temp! or cool)
(atenolol or Tenormin) and (heat or temp! or cool)
(metoprolol or Lopressor) and (heat or temp! or cool)
(propranolol or Inderal) and (heat or temp! or cool)
(furosemide or Lasix) and (heat or temp! or cool)
(hydrochlorothiazide or HCTZ or HCT or HZT) and (heat or temp! or cool)